G. R. S. 58]

Previous references.
Med 56-1485-6.J. March 1915
Med 192-1381-4.B. June 1916

File No. 56-14

Serial Nos. 7/9 & 24

(Medical)

Later references.
Med 56-1683 1&2 B Jany 1917

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 7/9 & 24

Part B for March 1916

SUBJECT.

Proposal to take an agreement from all persons hereafter entertained as Medical Officers, Nurses binding them to serve in the State for a Specified period

---

G.O. No 6534-6 dt. 7.3.16.

Directs that an agreement should be obtained from persons appointed as Medical Officers and Subordinates to serve the State for a minimum fixed period

W. D 1351—GPB—20,000—13-12-15

Ink Jaren
28/3/16

1731

G. R. S. 11] 1914-5

GENERAL AND REVENUE SECRETARIAT.

( )

NOTES.

File No. 56-14

FILE HEADING.

Prescribing a penalty for govt servants resigning Service before a ~~prescribed~~ fixed period.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

Deputy Secy's note dy 16.3.15 in mcl file 56-14 re: resignation tendered by Lady Apothecary Miss E. M'ascarenhas but subsequently withdrawn:—

"We must not allow the Service to be made

NOTES—First Sheet.

GPB—20,000—8-8-14

6133 2

[F. R. S. 12]

General and Revenue Secretariat. | Med File No. 56 of 1914.5

Serial No.

~~Medical Service~~ a convenience of - In the Madras Presidency a heavy penalty has to be paid if the Service is resigned before the end of five years."

Subd B. of D.
16.3.15

V

2

A draft order as suggested by the Dy Secy and approved by the Extraordinary Member is submitted. The Senior Surgeon may also be, if approved, consulted D.O in the matter before the order is issued.

Unnecessary

Adm-41
12.4.15

3 May be approved

Dy
16/4

4 Please put up a clean draft submit demi-official to the Senior Surgeon for favour of his remarks

13/4/15

5

Re. Submitted with a clean draft & draft D.O to the Senior Surgeon.

Adm-41
13.4.15

6 Issue

16/4

NOTE—Contn. sheet.

GPB—25,000—2-11-14

6526 (3

F. R. S. 12]

General and Revenue Secretariat. | Med File No. 56 of 1914-5

Serial No.

7 To the Senior Surgeon. D.O. No: 8092 dy 15.4.15

7 Requests favor of his opinion or remarks, if any, with refce to a draft order enclosed.

8

9 D.O. No: 1738 dy 20/21, 4.15 from the Same officer.

States that he quite agrees as to the necessity of taking agreements as suggested and that he has no suggestions or remarks to offer on the draft order proposed.

9) Subtd for orders. It is a question whether the proposed order should be made applicable even to clerical establts. If not, it has to be made clear in the order.

Unnecessary Es

Adm-41
23.4.15

10 If approved, the draft may be ordered

Borsine.

Es 23/4

Sd see 3)

11. Please put up a clean draft as suggested

A
28/4/15

Es 27/4

12) Clean draft Subtd.

Adm-41
28.6.15

Es 28/4

NOTE—Contn. sheet.

(3 Sd see 4)

GPB—25.000—2-8-15

F. R. S. 12]

General and Revenue Secretariat. | Med File No. 56 of 1914-15

Serial No.

13) Draft may be appd

29/4/15

Extraordinary Member

Dewan

14

Draft approved by the Extraordinary Member

M.A.S. 3/5/15

7177 / 7-5-15

15 It is said that the practice obtains in Madras. Please let me see references.

23/5/15

24/5

16 Please put up Madras Medical Code

24/5

17 Submitted.

(vide para para 142).

24-5-15

18 under para 142 of the Madras Civil Medical Code, Assistant Surgeons are required to execute a bond undertaking to serve Govt for a period of 5 years. The bond provides for a penalty of Rs 1000/-. The form of bond is submitted herewith for perusal.

Extract from the Code

NOTE—Contn. sheet.

GPB—25,000—22-3-15

Serial No.

9

19) Similarly para 190 provides for agreements from Sub Assistant Surgeons.

Es 27-5-15

D^r Lee
Dewan

7557 28.5.15

20) I am not convinced of the necessity for such agreements being taken. The Madras & Bombay agreements seem to be designed for the purpose of preventing men from attempting to escape military service or to escape evade going to very distant parts. Why should Medical men be treated differently from others in Govt employ? They work for the pay they get, and if they leave (on getting better terms elsewhere) they lose the benefit of their service & claim to leave & pension. Would that not be a sufficient preventive; and if it is not, would it be fair to stand in the way

Es 27/5 Es 28/5

NOTE—Contn. sheet.

GPB—25,000—22-3-15

Serial No.

of a man bettering his prospects? Such a Condition may prevent people coming into service & the increase of Salary required to be given would probably more than counterbalance the ~~other~~ advantages.

21) This may be settled at a meeting — H

28/5/15

C.S. on issue 29/5

29/5

29/5

W

3/6

22) The Council decided yesterday that this question might be considered in regard to all new entrants into the public service in Nigeria & their two Secretaries might be requested to note upon it.

23) Hence the file is referred to the following Secretaries for favour of remarks:-

1 Financial Secretary
2. Sec, D. A. C.
3. Sec for Railways
4. Revenue Sec.

24) The subject is included in the Agenda for 11/8/15.

NOTE—Contn. sheet.

GPB—25,000—22-3-15

For disposal at a meeting.

C. 11 6a

No. C. 675

2-6-1915

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Question of taking a bond from all new entrants to the Mysore Medical service, binding themselves to serve the State for a fixed minimum period of time.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasinga Rao.

Offg *Secretary to Government.*

....1st.....June.....*191* 5.

Extraordinary Member of Council. Opinion recorded by the Extraordinary Member of Council.

First Member of Council. Opinion recorded by the First Member of Council.

Second Member of Council. Seen by the Second member. 2-6-15

GPB—1,000—28-8-14

G. R. S. 12]

General and Revenue Secretariat. | med File No. 56 of 1914-5 (7

Serial No.

192

25) How the reference may be kept track of immediately from one file to the next.

Dr. Murgeshan
5/8

26) It is certainly advantageous to have such an agreement and as apparently the Senior Surgeon does not apprehend any difficulty in recruiting if the proposed rule is enforced there is nothing to be said against the proposed order. In Bengal agreement is taken even from civil assistant surgeons who are not subject to military service. In the medical profession, even those who intend to settle as private practitioners desire a year or two of hospital practice in the beginning & it is to guard against such people making a convenience of the public service that the practice of taking agreements is resorted to. I do not think that conditions are similar here & perhaps few officers would resign service to take up private practice. Hence the necessity for a rule is not so urgent. But as stated above if there would be no lack of suitable candidates by adopting the practice, it may be adopted. M

5/8

NOTE—Contn. sheet.

GPB—25,000—2-3-15

General and Revenue Secretariat. | Ind File No. 56 of 1914-5

Serial No.

27 I quite agree with the views of the First Member of Council in every way.

28 2. The enforcement of the Agreement of the kind will only mean either higher inducements will have to be given to really good men or Government will have to be satisfied with only men of inferior qualifications who will accept any conditions whatever.

29 3. The measure appears to be quite inexpedient so far as general service is concerned whatever it may be in the Medical Department.

Secretary to Government,
Public Works Department.

Bangalore,
18.8 August 1915.

H.R.R.

Rcd: 18-8-15.

NOTE—Contn. sheet.

GPB—3,000—17-12-14

65b 9

Railway Secretariat. | Rev File No. 56 of 1914-5

Serial No.

Q. 0

No. 22 Contd. 21 decisions

30 Except in the case of experts sent for from England for special purposes a covenant in the case of other entrants is of no practical utility in the Railway Department. The question is always regulated by the law of supply and demand.

31) Any forcing of such agreements upon entrants would only lead to either increase of salaries of the men or our being content with mediocrities.

32) The measure seems inexpedient and undesirable in the present circumstances of the Railway Service in Mysore.

H. Hayward
Offg. Secretary for Railways,
Government of Mysore.

Camp. Mysore,
21st Aug. 1915.

26/8/15

Rev (Secy)

(33) The question is not an urgent one so far as the Revenue Dept is concerned; but Engrs in the Dept resignations occur now and then. Such resignations are due to one of the causes

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

(a) Discontinued with the Conditions of Service

or

(b) The person resigning finds the work unsuitable to him.

A Covenant may prevent resignations specified in (a) but may not do so as regards resignations specified in (b).

30/8/15

A brief note on the rules of practice in Br India on the question raised may be kindly prepared by Mr N. Madhava Rao.

Secy
1/9

Mis no 222/E.A. 8.9.15.

Please put up copy of rules for the conduct of Public Servants in British India Puisne for resubmission - 3 days

Rev 8/9/15

Madras Rules are put up

Hmw 8/9/15

Please put up also rules re recruitment to the various Depts in Br. India - the report of the Public Service Commn of 1886 may perhaps throw some light —

Rev 8/9

NOTE—Contn. sheet.

GPE—25,000—30-4-15.

[G. R. S. 12]

1078

General and Revenue Secretariat.

Med File No. 56 of 1914.

Serial No.

Subd

The Public Service Commn Report of 1886 I was examined but it does not contain provisions as to agreements of Service.

Some extracts from the Madras Mett Code, British Indian Railway Code and the Indian Forest Code are put up.

The Indian Civil Service Rules are contained in the Gazette Volume put up. (Gazette of India 22/10/1904 page 1071)

It has been ascertained that the British P.W. Code does not contain any provisions for agreements of Service.

hm 27/11/15

To Br II for favours of furnishing further information if any on the subject

ALL 1/12/15

Subd. 4-12-15

I have not got any further information to offer

4/12/15

Issued

I have already given my opinion

Br VIII

Mon 15/12

Dr 14/12

G.R.O. 1078-15

NOTE—Contn. sheet.

GPB—25,000—30-4-15

G. R. S. 12]

General and Revenue Secretariat. | med File No. 56 of 1914.

Serial No. 4

Sd/-

MM
16/12/15

See Art 48 of the Secretariat Manual also

Dm.
16/12.

Sd/- Lee. 22-12

THE QUESTION OF TAKING AGREEMENTS FROM ALL NEW ENTRANTS IN THE GOVERNMENT SERVICE.

From the above notes it will be seen that out of the four Secretaries consulted the Public Works Secretary considers that the system of taking agreements is quite inexpedient as far as the General Service is conerned whatever it may be in the Medical Department. The Railway Secretary also considers the measure as inexpedient in the Railway Department though covenants may be taken from those recruited in England. The Revenue Secretary thinks that the question is not an urgent one as far as the Revenue Department is concerned. The Financial Secretary says that the system may be introduced in the Medical Department, if as stated by the Senior Surgeon, there would be no lack of suitable candidates by adopting the measure. He has not furnished his opinion regarding the adoption of the system in his own Department or in the General Service.

As regards the practice in British India, the extracts put up show that agreements of service are taken from those recruited in England as shown below.

Sl.No.	Service in which Covenants are taken from officers.	Period during which the officers should serve.	Penalty for non-fulfilment except on account of ill-health.	Remarks.
1.	Imperial Forest service	Not given	Not given.	It is however stated in the rules that they should execute covenants of service.
2.	Indian Civil Servie	Do.	do.	do
3.	Indian Agricultural service.	3 years.	Refund of passage money.	
4.	Indian Educational Service	5 "	do.	
5.	Indian Police Force	3 "	do.	
6.	Indian Medical Service	5 "	Not given.	
7.	Indian Railway Service	3 "	do.	

In the case of Provincial services in British India, no agreements seem to have been prescribed generally except in the Medical Department where officers should undertake to serve Government for five years.

As regards the Mysore State candidates drawing the following scholarships are required to execute an agreement to serve the State for five years after successfully completing their course;-

1. State and Damodar Das Foreign Scholarships.

2, Engineering Scholarships tenable in India.

3. Medical Scholarships do.

4. Forest Scholarships do.

5. Other individual scholarships for which special conditions are considered necessary.

Regarding other new entrants in the Public Service agreements are taken from individual officers whenever such a course is deemed necessary.

Rule 48 of the Secretariat Manual says that a clerk who is either permanently appointed to the Department or promoted therein is understood to guarantee that he will not leave the service for at least three years after the date of his appointment or promotion.

Sub with refce to para 34.

Sec[4]/ Am 29/12

49) This has now to be sent to Council Secretariat for being placed before the Council (vide para 22 above)

VPM 29/12/15

Council Secretariat

G. R. S. 12]

General and Revenue Secretariat. Med File No. 56 of 1914-5

Serial No.

50

Lem.

3. 1. 16 Date 4/1

10/1/16 Date 10/1

10/1/16 Date 11/1

Extract from the Proceedings of the 372nd Meeting of the Council of His Highness the Maharaja, held at Bangalore, on the 19th January 1916

4. SUBJECT.- (Clause viii of the Schedule).

57

Question of taking a bond from all new entrants in the Medical and Sanitary Departments, binding themselves to serve the State for a fixed minimum period of time.

Opinion of the Council.

The draft order may be approved.

(SD.) M. VISVESVARAYA,

DEWAN OF MYSORE.

"EXTRACT"

D. M. Narasimha Rao 20/1

Secretary to Government,
General Department.

W. D. 1364—GPB—500.

G. R. S. 12]

General and Revenue Secretariat. | Mad File No. 56 of 1914-5

Serial No. 52

A D.F.S.N. is put up.

Dewan

Dewan Gopalrao 27/1

3915
27-1-16

GPB—60,000—7-11-13

DRAFT FINAL NOTE.

53) Numerous instances having come to notice in which Sub-Assistant Surgeons, Lady Apothecaries and others entertained in the Medical Department resigned their appointments shortly after taking up service, a general question was raised as to whether an agreement may not be taken from all new entrants into the Medical Department, binding them to serve the State for a specified minimum period. The Senior Surgeon who was first consulted in the matter considered such action necessary.

54) The matter was further considered in the light of the practice in all Departments under other Governments and it has been finally decided by the Council on the 19th January 1916 that it would be sufficient to issue the draft Government Order in the file directing that an agreement should be taken from all new entrants into the Medical Department binding them to serve the State for a minimum period of three years.

26/1

Ans 26/1/16

C N C

J

55) Submitted to His Highness.

I submit herewith a Final Note by the Second Member of Council on the subject of taking agreements from all new entrants into the Medical service requiring them to serve for a minimum period of 3 years.

2. The recommendation of the Council embodied in the draft order placed in the file may kindly be approved.

Draft for approval

M. Yusuf Ali
16th July 1946.

STATEMENT OF CASES SUBMITTED FOR THE ORDERS OF HIS HIGHNESS THE MAHARAJA DURING THE TOUR OUTSIDE THE STATE IN February **1916.**

Serial No.	Subject	Recommendation of Council, or Member of Government in charge, as the case may be	Dewan's recommendation	Orders of His Highness	Orders regarding submission of files (*vide* foot-note)
91	Proposal to take agreements from all entrants into the Medical service requiring them to serve in the State for a minimum period of 3 years.	Opinion of Council. The draft order in the file may be approved.	The recommendation of the Council may be approved. 16.2.16		"c" 25.2.16

NOTE.—The letter a, b or c may kindly be inserted by the Private Secretary to His Highness in the last column to indicate whether—

File may be submitted at once .. .. a
File may be submitted after His Highness' return .. ... b
File may not be submitted at all c

W D 1660—GPB—200—25 1-16

2

652

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

56) Proposal to take agreements from all entrants into the Medical service requiring them to serve in the State for a minimum period of 3 years.

720

Order.

~~KRW~~
25/2/16

57) Genl Secy
28/2/16
Br iV
1/3/16

58) 1/3

16.3.16 9/3

G. R. S. 12]

General and Revenue Secretariat. | Med. File No. 56 of 1914-15

Serial No. 59

24 To the Senior Surgeon,
" Comptroller to Govt.
" Government Advocate.

Lr. No. 6534-6 dated 7th March 916.

Directs that an agreement should be obtained from persons appointed as medical officers and subordinates binding them to serve the State for a minimum fixed period and calls for submission of a draft agreement for approval.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

T

D. O. No. 98

Form returned with D.O. 8/(94) 17.3.16

OFFICE OF THE SENIOR SURGEON WITH THE GOVERNMENT OF MYSORE.

GOVERNMENT HOUSE

Bangalore, 11-3-1916 191

13

Dear Sir,

May I request you to kindly cause the early return of Madras Civil Medical Form No.42 - of agreement to be executed by Assistant Surgeons - which was sent to you in May last year? It was probably wanted by you in connection with this office D.O.No.173 dated 20th April 1915 in reply to your office D.O. letter No.8098/Med 54-14-7 of the 15th Idem.

Yours sincerely,

S. Srinivasa

Manager.

B.Seshagiri Rao,Esq.,
Supdt. Branch IV,
Genl & Rev.Secretariat.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

1+1½ : 2½

25

. R. S. 261

15/4
6153

File No. 56-14
Serial No 7

Diary No. of letter replied to

No. 8332 — Med 56-16 — 7
9/15.4.15

General and Revenue Secretariat

( )

, *the* *191* .

To

Dear Sir,

I am directed to enclose herein a draft of an order which you are requested to prepare and to request the favor of your Suggestions or remarks, if any, in reference to the Same.

Yours Sincerely

58
14/4

Lt Col Bahadur T. V. Cunningham Reed
Senior Surgeon

Adm. 41
13.4.15

Date of issue 15.4.15

Signed by Illegible

over.

SUBJECT.

Copy with Under Secy 15/4

15/4/15

D6526

(26)

Office of Senior Surgeon, Mysore Govt.

D.O.No. 173 Dated, Bangalore, 20th April 1915.

21st

Ens

Med 56-14-9

Dear Sir,

I quite agree as to the necessity for taking agreements as proposed in your D.O. letter No.8098/Med 56-14-7, dated, 15-4-15, from persons to be hereafter entertained in superior service in the Medical Department. I have no suggestions or remarks to offer on the order draft which is herewith returned.

Yours sincerely,

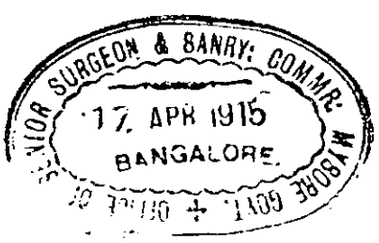
G.Sreenivasa Iyer Esqr., M.A.,B.L.,
Assistant Secretary to the Govt., of Mysore
General and Revenue Departments, Bangalore.

Proceedings of the Government of His Highness
the Maharaja of Mysore.

Enc to med 56-14-9

Order. No.

Instances in which medical officers and subordinates who, after having accepted employment in the State Service, resigned the same a few months after joining duty, to the prejudice of the department, having come to notice, the Senior Surgeon is requested to obtain an agreement from all persons to be entertained hereafter in superior service in the medical department binding them to serve for at least three years in the case of permanent vacancies and for the period of duration of the vacancies if they are temporary and in default, to pay a suitable penalty. A draft of the agreement to be taken from the several classes of medical officers and subordinates may be prepared in consultation with the Government Advocate and submitted for approval.



Draft

for offg. Secretary to Government

To

The Senior Surgeon in Mysore.

The Government Advocate.

M.K.2.

G.R.S. 28]

Diary No. of letter replied to 6626

GENERAL AND REVENUE SECRETARIAT.
(Med)

the 191

Date of issue. 7.3.16

Signed by Mr A. V. Ramanathaiya

Regarding an agreement to be taken from all persons hereafter entertained as Med. Officers, Nursing binding them to serve the State for a specified period.

4 copies Med

File No. 56-14
Serial No. 24

Proceedings of the Government of His Highness the Maharaja of Mysore

~~READ~~

6534-6
Med 56-14-24

7.3.16.

ORDER ~~THEREON~~—No. having been brought to notice of Several instances in which ~~Incharge~~ the Medical Officers and ~~others~~ Subordinates such as Sub Assistant Surgeons & Nurses ~~who, after~~ having accepted employment in the State Service, ~~resigned~~ the same and

over.

SUBJECT.

GPB—50,000—1-12-12

29

a few months after joining duty, to the prejudice of work in the Department, having come to notice, the Senior Surgeon is requested to obtain an agreement from all persons appointed to such offices hereafter, binding themselves to serve the State for at least three years in the case of permanent vacancies and for the period of duration of the vacancies, if temporary, and in default to pay a suitable penalty. A draft of the agreement to be taken from the several classes of medical officers and subordinates referred to above may be prepared in consultation with the Government Advocate and submitted for approval.

3.5.15

28/4 for offg Secy

To the Senior Surgeon

" Camphell

" Govt Advocate.

Print S.C. Hon 1/3

Adm-41/28.4.15

S. O

Medical Officers and Subordinates

No. 6534-6—Med. 56-14-24, dated 7th March 1916.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

Order No. 6534-6—Med. 56-14-24, dated 7th March 1916.

Several instances having been brought to notice of officers and subordinates of the Medical Department such as Sub-Assistant Surgeons and Nurses having accepted employment in the State Service and resigned the same a few months after joining duty, to the prejudice of work in the Department, the Senior Surgeon is requested to obtain an agreement from all persons appointed to such offices hereafter, binding themselves to serve the State for at least three years in the case of permanent vacancies and for the period of duration of the vacancies if temporary, and in default to pay a suitable penalty. A draft of the agreement to be taken from the several classes of Medical Officers and Subordinates referred to above may be prepared in consultation with the Government Advocate and submitted for approval.

D. M. NARASINGA RAO.
Secy. to Govt., Gen. Dept.

To —The Senior Surgeon in Mysore.
The Comptroller, Mysore Government.
The Government Advocate.

Dxd.—C. R.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. 6534-6—Med. 56-14-24, dated 7th March 1916

Medical Officers and Subordinates.

Directs that an agreement should be obtained from persons appointed as [illegible] to serve the State for a minimum fixed period.

W D 2263—GPB—14-3-16—250.